

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

HONEYWELL INTERNATIONAL INC.)
and HONEYWELL INTELLECTUAL)
PROPERTIES INC.,)

Plaintiffs,

V.

APPLE COMPUTER, INC., et al.,)

Defendants.)

C.A. No. 04-1338-KAJ

STIPULATION

WHEREAS, plaintiffs Honeywell International Inc. and Honeywell Intellectual Properties Inc. (collectively, “Honeywell”) have filed a First Amended Complaint and demand for jury trial in the above referenced matter; and

WHEREAS, the First Amended Complaint names as defendants, among other entities, Hitachi, Ltd., Hitachi Displays, Ltd., Hitachi Display Devices, Ltd., and Hitachi Electronic Devices (USA), Inc. (collectively, “the Hitachi entities”); and

WHEREAS, Honeywell and the Hitachi entities agree to direct, for now, Honeywell's claims against the Hitachi entities to the particular entity primarily responsible for manufacturing Hitachi's LCD modules; and

WHEREAS, in furtherance of this desire, the Hitachi entities have provided the Declarations of Toyokazu Nagano and L. Thomas Heiser describing certain aspects of the business relationships between and among the Hitachi entities, which are attached hereto and incorporated herein by reference.

NOW, THEREFORE, in consideration of the foregoing, Honeywell and the Hitachi entities hereby agree and stipulate as follows:

1. Hitachi, Ltd., Hitachi Display Devices, Ltd. (“HDD”) and Hitachi Electronic Devices (USA), Inc. (“HEDUS”) will be treated as “stayed” defendants consistent with the Court’s October 7, 2005 Order.

2. The case will not be stayed against Hitachi Displays, Ltd. (“HDL”). HDL represents that it has access to, and thus agrees to produce in this matter, relevant documentation and testimony from HDD, notwithstanding a stay of the case against HDD. Additionally, HDL represents that it believes it has access to, and will be able to provide, relevant sales data for its U.S. sales. Moreover, HEDUS agrees to respond to requests for relevant sales/damages related information later in the discovery period, to the extent such discovery is not available from HDL, notwithstanding a stay of the case against HEDUS.

3. The Hitachi entities have represented that the backlight units manufactured by HDD are not exclusively sold to Hitachi entities. HDL agrees that it will produce information regarding such activities to the extent such units are sold to any other party who claims not to have information regarding such backlight units.

4. The Hitachi entities hereby agree and covenant that they will not invoke any territorial aspects of 35 U.S.C. § 271 as an absolute basis for preventing the entry of judgment against them in this matter; the Hitachi entities may invoke territorial aspects of this statute as a basis for reducing, but not eliminating, the amount of damages that Honeywell may be awarded in this matter.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP POTTER ANDERSON & CORROON LLP

/s/ Thomas C. Grimm

Thomas C. Grimm (#1098)
Leslie A. Polizoti (#4299)
1201 N. Market Street
P.O. Box 1347
Wilmington, DE 19899-1347
(302) 658-9200
*Attorneys for Honeywell International Inc.
and Honeywell Intellectual Properties Inc.*

/s/ Richard L. Horwitz

Richard L. Horwitz (#2246)
David E. Moore (#3983)
Hercules Plaza, 6th Floor
1313 N. Market Street
P.O. Box 951
Wilmington, DE 19899
(302) 984-6000
*Attorneys for Hitachi, Ltd., Hitachi Displays,
Ltd., Hitachi Display Devices, Ltd., and
Hitachi Electronic Devices (USA), Inc.*

SO ORDERED this _____ day of March, 2006.

United States District Judge

513289

CERTIFICATE OF SERVICE

I hereby certify that on March 28, 2006, I electronically filed the foregoing document with the Clerk of Court using CM/ECF, which will send notification of such filing to the following: John R. Alison, Parker H. Bagley, Robert J. Benson, Robert Karl Beste, III, Elizabeth L. Brann, John M. Caracappa, Christopher E. Chalsen, Arthur G. Connolly, III, Frederick L. Cottrell, III, Francis DiGiovanni, Thomas M. Dunham, Amy Elizabeth Evans, York M. Faulkner, Christopher J. Gaspar, Alexander E. Gasser, Alan M. Grimaldi, Thomas C. Grimm, Thomas Lee Halkowski, Richard L. Horwitz, Dan C. Hu, John T. Johnson, Robert J. Katzenstein, Nelson M. Kee, Richard D. Kelly, Stephen S. Korniczky, Hamilton Loeb, Robert Maier, David J. Margules, David Ellis Moore, Carolyn E. Morris, Arthur I. Neustadt, Elizabeth A. Niemeyer, Kevin M. O'Brien, Gerard M. O'Rourke, Andrew M. Ollis, Karen L. Pascale, Adam Wyatt Poff, Leslie A. Polizoti, Alana A. Prills, Steven J. Rizzi, Avelyn M. Ross, Philip A. Rovner, Diana M. Sangelli, Robert C. Scheinfeld, Carl E. Schlier, John M. Seaman, Chad Michael Shandler, John W. Shaw, Neil P. Sirota, Monte Terrell Squire, William J. Wade, Roderick B. Williams and Edward R. Yoches.

/s/ Thomas C. Grimm

Thomas C. Grimm (#1098)
tcgefiling@mnat.com